

### **REMARKS**

In the Office Action, claims 1-30 were rejected. By the present Response, claims 1, 3-5, 12, 13, 15, 17, 19, 24, and 27 have been amended. Upon entry of the amendments, claims 1-30 will remain pending in the present patent application. Reconsideration of the rejections and allowance of all pending claims are respectfully requested.

### **Objections to the Drawings**

The Examiner objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they did not include reference numerals 51 and 78 mentioned in the description. A replacement sheet has been attached to add reference numeral 78 to Fig. 5. However, the Applicant was unable to locate any reference to an item number 51 in the specification.

### **Rejections Under 35 U.S.C. § 102**

Claims 1-6, 8-18, and 20-30 were rejected under 35 U.S.C. § 102(b) as being anticipated by Wood, U.S. Patent No. 5,894,266. Applicant respectfully traverses the rejection. Claims 1-6, 8-18, and 20-30 are not anticipated because the Wood reference does not disclose all of the recited features of the claims.

### **Claims 1-6 and 8-11**

Independent claim 1 has been amended by this response. Claims 2-6 and 8-11 depend from independent claim 1. The Wood reference does not anticipate claim 1 because the Wood reference does not disclose all of the recited features of claim 1, such as "a programmable interface...operable to receive device data from the device and to process the device data to provide user-configurable device data to the transmitter."

In the Office Action, the Examiner stated in regard to claim 1 that:

Wood teaches of a programming station (10) as shown in Fig 1 selectively coupleable (through interrogator 12) to the interface to enable a user to program the interface (14) to provide the user-configurable data to the transmitter such as sending GPS data associated with device data (Col. 2, lines 25-40).

However, contrary to the Examiner's assertion, providing GPS data associated with device data does not represent providing user-configurable device data to a transmitter. Rather, it simply represents providing data from a second device with data from a first device. The Wood reference discloses a remote intelligent communications device 14 that has a first digital interfacing port 84 tied to a navigation receiver, e.g., a GPS receiver 88 and an additional digital IO port 84 coupled to other monitoring circuitry, such as a "trip master" for monitoring a door of a delivery truck. *See* Wood, col. 9, lines 11-17. However, the associated placement data, i.e., the GPS data referred to by the Examiner, is not truck door data that has been configured by a user. Instead, it is data from an entirely separate source, the GPS receiver. Thus, the Wood reference does not disclose does not disclose "a programmable interface...operable to receive device data from the device and to process the device data to provide user-configurable device data to the transmitter," as recited in independent claim 1. Therefore, Wood does not disclose all of the recited features of amended independent claim 1.

Accordingly, claim 1 is not anticipated by the Wood reference. As noted above, claims 2-6 and 8-11 depend from claim 1. Therefore, claims 2-6 and 8-11 also are not anticipated by the Wood reference.

Furthermore, the Examiner's rejection of claim 6 under 35 U.S.C. § 102(b) is improper as the Examiner relies on subject matter from an additional reference: the O' Toole reference, U.S. Patent No. 6,130,602. Thus, the Examiner is conceding that the Wood reference does not disclose all of the recited features of claim 6. Accordingly, the rejection of claim 6 as being anticipated by Wood is improper.

**Claims 12-18 and 20-23**

Independent claim 12 has also been amended by this response. Claims 13-18 and 20-23 depend from claim 12. Similarly to claim 1 above, the Wood reference fails to disclose an interface comprising a processor, "wherein the processor is operable to receive a first set of device data from a device and to provide a second set of device data configured by a user from the first set of data to a transmitter," as recited in claim 12.

As noted above, the Wood reference discloses a truck door monitoring device and a separate GPS receiver. The GPS data from the GPS receiver is not truck door data that has been configured by a user, or vice versa. Instead, the GPS data is an entirely different set of data from an entirely different source. Therefore, Wood does not disclose all of the recited features of amended independent claim 12.

Accordingly, claim 12 is not anticipated by the Wood reference. As noted above, claims 13-18 and 20-23 depend from claim 12. Therefore, claims 13-18 and 20-23 also are not anticipated by the Wood reference.

**Claims 24-26**

Independent claim 24 has been amended by this response. Claims 24-26 are not anticipated because the Wood reference fails to disclose all of the recited features of amended independent claim 24. For example, Wood fails to disclose "operating the programming station to configure the programming of the programmable interface to receive the device data and to provide a user-configured set of device data to the transmitter," as recited in amended claim 24.

The GPS data disclosed in the Wood reference is not data that has been configured by a user from device data received by the GPS. As noted above, the GPS data and the device data are two distinct sets of data from two different sources. Therefore, Wood does not disclose all of the recited features of amended independent claim 24.

Accordingly, claim 24 is not anticipated by the Wood reference. Claims 25 and 26 depend from claim 24. Therefore, claims 25 and 26 also are not anticipated by the Wood reference.

**Claims 27-30**

Independent claim 27 has been amended by this response. Claims 27-30 are not anticipated because the Wood reference fails to disclose all of the recited features of amended independent claim 27. For example, Wood fails to disclose "operating the programming station to configure the programming of the programmable interface to provide a cumulative total of a selected device parameter to the transmitter," as recited in amended independent claim 27.

Accordingly, claim 27 is not anticipated by the Wood reference. Claims 28-30 depend from claim 27. Therefore, claims 28-30 also are not anticipated by the Wood reference.

**First Rejection Under 35 U.S.C. § 103**

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood. Applicant respectfully traverses this rejection.

Claim 7 depends from amended independent claim 1. For the reasons provided above, amended independent claim 1 is patentable over the Wood reference. Accordingly, claim 7, which depends therefrom, also is patentable over the Wood reference.

**Second Rejection Under 35 U.S.C. § 103**

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood. Applicant respectfully traverses this rejection.

First, the rejection is improper because the Examiner is relying on subject matter from an un-cited reference: the O' Toole patent, U.S. Patent No. 6,130,602. The O'Toole patent is not incorporated-by-reference into the Wood reference as suggested by the Examiner. Whether or not these two patents are directed to the same device, as suggested by the Examiner, does not mean that the two patents are incorporated by reference. Therefore, if the Examiner wants to rely on subject matter from the O'Toole patent, the Examiner should base the rejection of claim 19 on both references, not just the Wood reference.

Claim 19 depends from amended independent claim 12. For the reasons provided above, amended independent claim 12 is patentable over the Wood reference. Accordingly, claim 19 is patentable over the Wood reference.

**Conclusion**

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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